

REMARKS

Reconsideration is respectfully requested for Claims 1, 3 - 8 and 10 - 14, said claims having been variously rejected as follows:

Claims 1 and 8 have been rejected under 35 U.S.C. 102 (b) as being anticipated by U.S. Patent No. 5819805 to Donald Mosing et al. This rejection is respectfully traversed.

The applicants are quite familiar with the '805 reference because it is assigned to Frank's Casing Crew and Rental Tools, Inc., the assignee of the present invention. The examiner has taken the position, quite possibly a sustainable position, based upon the arguments previously made not being supported in the claims. It should be appreciated that the '805 patent is drawn and directed solely to a thread protector, a device which typically has elastomeric pads pressed against the threads so as not to damage the threads. These elastomeric pads 102 are illustrated in Fig. 14 and are described in Column 3, commencing at line 14, all the way through line 65 and are also described in Column 4, lines 1 - 65 and also in Column 5, lines 1 - 65. It is even stated in Column 5, lines 34 - 38 that the thread engagement pads 102 insulate the threads on a tubular from the body 101.

In short, it would not be good engineering practice to have any metal come into contact with the tubular threads because that would defeat the purpose of a thread protector.

In sharp contrast, the load lift ring of the present invention makes no contact with the threads on the pin end of the tubular, but makes contact only with the smooth, non-threaded exterior surface of the tubular located between the box end and the threaded pin end. Claims 1 and 8 have been amended to reflect the difference between the load lift ring of the present application and the thread protector of the cited '805 patent. It is therefore respectfully requested that the rejection of claims 1 and 8 based upon 35 U.S.C. 102 (b) be withdrawn.

Claims 3 and 10 have been rejected over U.S. Patent No. 5819805 to Donald

Mosing et al in view of U.S. Patent No. 4349048 to Clark. This rejection is respectfully traversed.

As set forth above, the '805 patent is directed to the thread protector which presses elastomeric pads 102 against the threads of the tubular. The '048 patent likewise presses its elastomeric pad 102 against the threads of the tubular.

As shown in Fig. 3, the thread protector in the '048 patent as illustrated in its Fig's 2, 3, 4 and 5 is constructed of molded neoprene rubber (see column 5 commencing at line 14). As shown in Fig's 3, 4 and 5, the neoprene only comes into contact with the metal threads of the tubular. There is no metal contact with the threads of the tubular.

In sharp contrast, Claims 1 and 8 have been amended to recite that the metal, saw tooth design of the present invention comes into contact with the non-threaded metal, exterior surface of the tubular.

Claims 4 - 7 and 11 - 14 have been further rejected under 35 U.S.C. 103 under the combination of the Mosing et al reference and the Clark reference, and further, in view of U.S. Patent No. 4018468 to Lundquist. As pointed out in the previous response filed by the applicant, the Lundquist patent could not be used as a load lift ring to grip and lift an oil field tubular because Lundquist requires the use of a groove into which a load lift ring is seated and is then tied together for a means of picking up a barrel.

Oil field tubulars do not have such a groove and it is inconceivable to imagine that anyone would place such a groove in an oil field tubular. Moreover, there would be no incentive to combine the disclosure of the '805 patent with the '048 patent, each drawn to thread protectors having rubber pads for touching and holding metal threads, to result in touching and holding smooth, non-threaded metal surfaces, and the '468 patent totally fails to suggest such a combination.

In short, these three reference are not properly combined and should not, as a matter of law, be used to reject any of these claims under 35 U.S.C. 103.

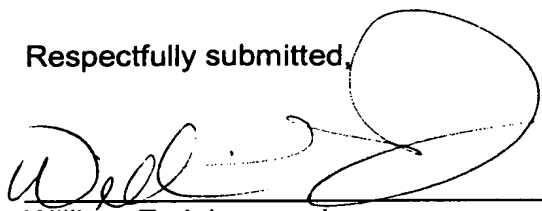
It is respectfully requested that this response be entered even though these rejections were made final, because no new search should be required. It is therefore respectfully requested that Claims 1, 3 - 8 and 10 - 14 be held allowable over the cited

art and that the application be advanced to issue.

The undersigned attorney for the applicants would welcome a telephone conference with the examiner should the examiner be of the opinion that such a conference would expedite the further prosecution of this matter.

Respectfully submitted,

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Date



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